



So Ordered.

Signed this 19 day of November, 2018.

Diane Davis
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK**

In re:

VINCENT D. IOCOVOZZI

**Chapter 13 Proceeding
Case No. 13-62035-6-dd**

Debtors.

ORDER GRANTING RELIEF FROM AUTOMATIC STAY

Upon the submission by the County of Herkimer of a Motion pursuant to 11 U.S.C. Section 362(d)(1) to grant relief from an automatic stay relief relevant to the foreclosure of its tax liens against said debtor and granting Herkimer County permission to commence tax foreclosure proceedings; and this Motion having come on to be heard at

Utica, New York, on the 13th date of November, 2018; and Carol Ann Malz, Esq., having filed objections to the relief requested; and the Chapter 13 trustee having filed a response; and Kyle W. Crandall, Esq., attorney for Herkimer County, having appeared, and Carol A. Malz, Esq., attorney for the debtor, having appeared; and Ed Fintel, Esq., having appeared for the Chapter 13 trustee; and Patrick G. Radel, Esq., attorney for Creditor, GPO Federal Credit Union, having appeared; and upon all the pleadings and proceedings held herein, and the parties having agreed to the provisions hereafter set forth;

NOW, after due deliberation it is

ORDERED that the motion by Herkimer County is granted and the automatic stay upon certain real property located at 329 South Washington Street, Village of Herkimer, is vacated as to the County of Herkimer; and it is further

ORDERED that the County of Herkimer may proceed with any actions to foreclose real property tax liens against said property delineated by tax map number 120.25-3-82 located at 329 South Washington Street, Village of Herkimer, titled owner Vincent D. Iocovozzi; and it is further

ORDERED that the Debtor shall pay the Herkimer County Treasurer all property taxes owed on the property at 335 South Washington Street, Herkimer, New York, tax map number 120.33-4-30, by November 28, 2018 in the full amount of \$7,403.75, said amount being the taxes, with penalty and interest as of November 28, 2018; and it is further

ORDERED that service of this Order by regular mail upon the attorneys for the parties shall be deemed sufficient service.

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